

REMARKS

The Examiner's attention to the present application as well as providing a telephone interview on March 27, 2009 are greatly appreciated.

In the Office Action of March 18, 2009, the Examiner rejected Claims 1 - 3 and 5 - 7 as being unpatentable over *Petite* (U.S. Patent No. 6,430,268) in view of *Spencer* (U.S. Patent No. 6,195,243). However, Claims 4 and 8 were objected to but indicated as being allowable if incorporating the limitations of their base claims.

Admittedly, the undersigned was confused concerning the rejection of Claims 1 - 3 and 5 - 7 over *Petite* in view of *Spencer*. Without addressing each of the Examiner's arguments, the Examiner stated in the Office Action that the transmission of voice mails in an audible manner through the public switched telephone network was not specified in the limitations. (See page 6, paragraph 8). However, Applicant believes that voice messages are inherently audible.

In order to understand the Examiner's position, the parties held a telephone interview on March 27, 2009. During the conversation, the parties both better understood the other's position. Specifically, the Examiner explained that in his opinion, voice messages did not need to be audible, but could be transmitted as data packages. Conversely, the undersigned understood that the voice messages in the claims were audible.

Once the parties' positions were understood, it was agreed that the claims would be patentable in view of *Petite* and *Spencer* if the claims were amended to reflect that the voice messages were audible. To this end, each and every one of the claims, 1 - 8, have been amended to state that the voice messages are audible voice messages. Furthermore, Applicant has amended independent Claims 1 and 5 to clarify that the alert system includes a receiver at a predetermined telephone number for receiving the audible voice messages which are transmitted over the public switched telephone network. In response to this suggestion, the Examiner indicated that this would provide additional differentiation and thus basis for patentability of Applicant's claims.

As a result of the amendments, Applicant's Claims 1 - 8 are now believed allowable.

CONCLUSION

It is respectfully requested that Claims 1 - 8 be allowed. If there are any additional matters that need to be resolved, it is requested that a telephone call be placed to the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David G. Duckworth", written in a cursive style.

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CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **Andrew S. Holmes; Kevin D. Knoop**

Docket No.

791-P-1-USA

Application No.

10/820,917

Filing Date

April 8, 2004

Examiner

Gerald Gauthier

Customer No.

71850

Group Art Unit

2614

SYSTEM FOR REQUESTING SERVICE OF A MACHINE

I hereby certify that the following correspondence:

AMENDMENT, TELEPHONE INTERVIEW SUMMARY AND REQUEST FOR RECONSIDERATION*(Identify type of correspondence)*

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